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COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 82-54 (AS AMENDED)

Introduced by Council President Hardwicke at the request
of the County Executive

Legislative Day No. 82-22 Date July 6, 1982

AN EMERGENCY ACT to repeal and re-enact with amendments certain descriptive tables included in the Zoning Code and certain subsections of Section 25-2.4, heading, Definitions; Subsection (k), heading, Application Disapproved, of Section 25-3.3, heading, Board of Appeals; Subsection (e), of Section 25-3.4, heading, Interpretation of Zoning Map; Subsection (c), heading, Lot Frontage Requirements, of Section 25-5.2, heading, General Lot Requirements; Subsection (h), heading, Sanitary Landfill Requirements, of Section 25-5.2, heading, General Lot Requirements; Subsection (e), of Section 25-5.3, heading, General Yard Requirements; Subsection (d), heading, Parking Space Requirements, of Section 25-5.5, heading, Off-Street Parking, Subsection ii, of Section 25-5.6, heading, Accessory Uses and Structures; Subsection (c) and (d), of Section 25-5.8, heading, Bufferyard Use and Requirements; Subsections (a), (b), (d), and (g), of Section 25-6.3, heading, Requirements

By the Council, July 6, 1982

Introduced, read first time, ordered posted and public hearing scheduled

on: August 3, 1982

at: 6:00 P.M.

By Order: Angela Tharkowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on August 3, 1982 and concluded on August 3, 1982.

Angela Tharkowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. _____

Introduced by _____

Legislative Day No. _____ Date _____

for Specific Districts; Subsection (d), heading, Natural Resources District, of Section 25-6.4, heading, Special Overlay Districts; Subsection (b), of Section 25-7.1, heading, Purpose and Approval; Subsection (b), of Section 25-7.2, heading, Development and Design Standards; Subsection (a), (b), (c), (d), (f), and (h), of Section 25-8.3; Subsection (a), of Section 25-9.3, heading, Board of Appeals and Table Number 1, heading, Amusements; Table Number 1, heading, Industrial; heading, Residential (Open Space), Residential (Planned), Residential (Transient), all part of Section 25-6.2, heading, Principal Permitted Uses for Specific Zoning Districts; Table Number VI, heading, R-3 Urban Residential District; Table Number IX, heading, VB, Village Business District; Table Number X, heading, B-1, Neighborhood Business District; Table Number XI, heading, Commercial Business District; Table Number XII, heading, B-3, General Business District; Table Number XIII, heading, CI, Commercial Industrial District; Table Number XIV, heading, GI, General Industrial District; Table Number XIVa, heading, ORI, Office/Research Industrial District; all part of Article II, heading, Zoning Code, of Chapter 25, heading, Zoning, of the Harford County Code, as amended; to provide for technical corrections to certain sections and tables in the Zoning Code of Harford County, Maryland.

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled on: _____

at: _____

By Order: _____, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____ and concluded on _____.

_____, Secretary

XPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. *Be It Enacted By The County Council of Harford County,*
2 *Maryland,* that Subsections 74, 75, 89, 93, 96, 105, 114, 115, 146,
3 149 of Section 25-2.4, heading, Definitions; Subsection (K),
4 heading, Application Disapproved, of Section 25-3.3, heading,
5 Board of Appeals; Subsection (e), of Section 25-3.4, heading,
6 Interpretation of Zoning Map; Subsection (c), heading, Lot Frontage
7 Requirements, of Section 25-5.2, heading, General Lot Requirements;
8 Subsection (h), heading, Sanitary Landfill Requirements, of
9 Section 25-5.2, heading, General Lot Requirements; Subsection (e)
10 of Section 25-5.3, heading, General Yard Requirements; Subsection
11 (d), heading, Parking Space Requirements, of Section 25-5.5,
12 heading, Off-Street Parking; Subsection (d), (k) of Section 25-5.5,
13 heading, Off-Street Parking; Subsection ii, of Section 25-5.6,
14 heading, Accessory Uses and Structures; Subsections (c) and (d),
15 of Section 25-5.8, heading, Bufferyard Use and Requirements;
16 Subsections (a), (b), (d), and (g), of Section 25-6.3, heading,
17 Requirements for Specific Districts; Subsection (d), heading,
18 Natural Resources District, of Section 25-6.4, heading, Special
19 Overlay Districts; Subsection (b), of Section 25-7.1, heading,
20 Purpose and Approval; Subsection (b), of Section 25-7.2, heading,
21 Development and Design Standards; Subsections (a), (b), (c), (d),
22 (f), and (h), of Section 25-8.3; Subsection (a), of Section 25-
23 9.3, heading, Board of Appeals and Table Number 1, heading,
24 Amusements; Table Number 1, heading, Industrial; heading, Resi-
25 dential (Open Space), Residential (Planned), Residential (Transient)
26 all part of Section 25-6.2, heading, Principal Permitted Uses for
27 Specific Zoning Districts; Table Number VI, heading, R-3, Urban
28 Residential District; Table Number IX, heading, VB, Village
29 Business District; Table Number X, heading, B-1, Neighborhood
30 Business District; Table Number XI, heading, Commercial Business
31 District; Table Number XII, heading, B-3, General Business District;
32 Table Number XIII, heading, CI, Commercial Industrial District;

1 Table Number XIV, heading, GI, General Industrial District; Table
2 Number XIVA, heading, ORI, Office/Research Industrial District;
3 all part of Article II, heading, Zoning Code, of Chapter 25,
4 heading, Zoning of the Harford County Code, as amended, be, and
5 they are hereby repealed and re-enacted with amendments, all to
6 read as follows:

7 Article II. Zoning Code.

8 Chapter 25. Zoning.

9 Section 25-2.4. Definitions.

10 (74) Homeowners Association. An association or other legal
11 entity comprised of owners of land or [houses] DWELLINGS organized
12 to own, operate or maintain open space or facilities used in
13 common by such owners.

14 (75) Hospital. An institution providing in-patient [and
15 out-patient primary] health care services, medical or surgical
16 care to persons suffering from illness, disease, injury, deformity
17 and other abnormal physical or mental conditions, and including,
18 as an integral part of the institution, related activities such as
19 laboratories or training facilities.

20 (89) Lot, Corner. A lot abutting upon two (2) or more roads
21 at their intersection, or upon two (2) parts of the same road
22 forming an interior angle of less than 135 degrees [and having no
23 rear lot line or yard].

24 (93) Lot Width. The horizontal distance between the [line
25 of a lot measured at right angles to its depth] LOT LINES along a
26 straight line parallel to the front lot line at the minimum
27 required building setback line.

28 (96) Lot Line, Rear. The lot line opposite and most distant
29 from the front lot line. In the case of triangular or otherwise
30 irregularly shaped lots, a line at least ten (10) feet in length
31 entirely within the lot, parallel to and at a maximum distance
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1 from the front lot line. In the case of corner and through lots,
2 [no] ONE rear lot line [need] SHALL be established.

3 (105) Motor Vehicle Recreation. The use of land for vehicle
4 [racing] COMPETITION involving automobiles, motorcycles, tractors,
5 trucks or other self-propelled vehicles.

6 (114) Parking Area. An area, other than sales lots, [perma-
7 nently surfaced and] designed for the parking of three (3) or more
8 motor vehicles and available to the public either for a fee or as
9 an accommodation to clients or customers.

10 (115) Permanent Foundation. [A concrete or masonry founda-
11 tion forming a complete enclosure under the exterior walls of the
12 building upon which the building rests.] A FOUNDATION AS REQUIRED
13 BY THE HARFORD COUNTY BUILDING CODE OR THE MANUFACTURER'S SPECI-
14 FICATIONS, IN THE CASE OF MANUFACTURED HOMES, TO PROVIDE FOR
15 COMPLETE ENCLOSURE WITH A MATERIAL WHICH IS COMPATIBLE WITH THE
16 STRUCTURE.

17 (146) Use, Residential. Any dwelling unit or use listed on
18 Table I, Principal Permitted Uses under the category Residential
19 Uses OR TRANSIENT HOUSING.

20 (149) Yard, Front. A yard extending the full width of the
21 lot, which includes the area between the front building setback
22 LINE and the road right-of-way.
23 Section 25-3.3. Board of Appeals.

24 (k) Application Disapproved. If the application, EXCEPT IN
25 THE CASE OF A VARIANCE, is disapproved by the Board or is dis-
26 missed for failure of the applicant to pay costs, then the Board
27 shall take no further action on another application for substan-
28 tially the same relief, until after one (1) year from the date of
29 such disapproval or dismissal or any final decision by a court of
30 competent jurisdiction whichever shall last occur. Dismissal for
31 failure to pay costs shall be without prejudice. If an appeal to
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1 the Board is perfected and the public hearing date set by the
2 posting of the property and thereafter the applicant withdraws the
3 appeal, the applicant shall be precluded from filing another
4 application or substantially the same relief for six (6) months
5 from date of withdrawal.

6 Section 25-3.4. Interpretation of Zoning Map.

7 (c) Permitting adjustment of any boundary line to conform to
8 topography of the ground; provided such variation does not exceed
9 five hundred (500) feet and is not within three hundred (300) feet
10 from any boundary of the [tract] PARCEL.

11 Section 25-5.2. General Lot Requirements.

12 (c) Lot Frontage Requirements. Any building, [or] structure
13 OR USE fronting on a public or private road shall be located on a
14 lot abutting the road for at least twenty-five (25) feet, except
15 as otherwise required by this Code. In attached dwelling projects,
16 provided all buildings are so located to provide access for
17 servicing, fire protection and off-street parking LOTS MAY FRONT
18 ON OPEN SPACE, COURTS OR GROUP PARKING AREAS, and each such
19 attached dwelling unit shall not be required to meet the road
20 frontage standard.

21 [(h) Sanitary Landfill Requirements.

22 (1) An undisturbed buffer area shall be maintained
23 between the fill area and adjoining properties. The undisturbed
24 buffer area shall be designed to adequately screen the landfill
25 activities from the view of adjoining properties. The undisturbed
26 buffer area shall be a minimum of two hundred (200) feet from
27 adjoining property lines. The distance shall be determined by the
28 County Council after a site plan is developed by the Departments
29 of Planning and Zoning and Public Works. The site plan shall
30 consider and address the topography of the area, the ability to
31 effectively screen the landfill area and such other factors as the
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Departments of Planning and Zoning, Public Works, and the County Council deem relevant in conformity with Section 25-3.1(i).

(2) The Department of Public Works shall cause prior to submission of the site plan to the County Council a notice to be published once a week for two consecutive weeks in two newspapers of general circulation in the County. The notice shall identify the location of the site, the acreage, and a physical description of the site.]

Section 25-5.3. General Yard Requirements.

[(E) Walls, fences and hedges in accordance with Section 25-5.4(b) (Fences, Walls and Hedges, etc.).]

(e) FENCES AND WALLS IN ACCORDANCE WITH SECTION 25-5.4(b) (FENCES AND WALLS).

(3) REDUCED SIDE YARDS. WHERE A LOT FOR EACH DWELLING UNIT IS ESTABLISHED, THE MINIMUM SIDE YARD REQUIREMENTS OF THIS CODE MAY BE REDUCED NOT MORE THAN THIRTY (30) PERCENT, WHEN SIDE WALLS OF ADJOINING SINGLE FAMILY ATTACHED OR SEMI-DETACHED DWELLINGS ARE OFFSET BY FIFTY (50) PERCENT OR MORE.

Section 25-5.5. Off-Street Parking and Loading Facility Requirements.

(d) Parking Space Requirements. Except as otherwise provided in this Code, the following off-street parking space requirements shall apply. In the case of any building, structure or use not specifically mentioned herein, the use that is most similar to the following enumerated uses shall provide the requirement:

(4) Business

(K) Personal services, EXCEPT BEAUTY AND BARBER SHOPS	one (1) per 200 square feet of gross floor area
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Section 25-5.6. Accessory Uses and Structures.

(11) Not more than one (1) inoperative or untagged motor vehicle may be parked or stored on any lot of less than two (2)

1 acres for a continuous period of MORE THAN six (6) months, unless
2 such vehicle is stored within a completely enclosed building. Not
3 more than two (2) inoperative or untagged motor vehicles, except
4 bona fide agricultural equipment, may be parked or stored on any
5 lot of two (2) acres or more, unless such vehicles are within a
6 completely enclosed building.

7 Section 25-5.8. Bufferyard Use and Requirements.

8 (c) Bufferyard Requirement. The following minimum
9 bufferyard requirements shall be applicable to all districts:

10 <u>Proposed Use</u>	Adjacent District or Use	11 <u>Bufferyard Width</u> (feet)
12 Agricultural service uses	Residential Use	10
13 Proposed residential 14 use of a net density 15 twice (2) that of the 16 adjacent existing or 17 proposed residential 18 project	Residential Use	10
19 Residential Rear Yard	Collector and Arterial Public Roads	10
20 Active public recreation 21 of over two (2) acres	Residential Use	10
22 Business uses		
23 B-1 District	Residential Use	10
24 B-2 District	Residential Use	15
25 B-3 District	Residential Use	20
26 Shopping Center	Residential District	25
27 [Commercial Industrial 28 or Office/Research 29 Industrial Districts] 30 COMMERCIAL, INDUSTRIAL 31 OR OFFICE/RESEARCH 32 INDUSTRIAL DISTRICTS	Residential District	15
General Industrial District	Residential District	20
Extraction or Landfill	Residential Use and Public Roads	30

(d) Landscaping and Fencing Requirements. A bufferyard shall be landscaped to screen incompatible uses in accordance with any one of the following requirements:

CONFIDENTIAL

1 (3) A SOLID FENCE OR WALLS OF A MINIMUM OF FIVE (5)
2 FEET IN HEIGHT WITHOUT ADVERTISING, WHEN DESIGNED WITH DURABLE
3 MATERIALS, TEXTURE AND COLORS COMPATIBLE WITH ADJACENT USES.

4 (4) SANITARY LANDFILL REQUIREMENTS. AN UNDISTURBED
5 BUFFER AREA SHALL BE MAINTAINED BETWEEN THE FILL AREA AND ADJOIN-
6 ING PROPERTIES. THE UNDISTURBED BUFFER AREA SHALL BE DESIGNED TO
7 ADEQUATELY SCREEN THE LANDFILL ACTIVITIES FROM THE VIEW OF ADJOIN-
8 ING PROPERTIES. THE UNDISTURBED BUFFER AREA SHALL BE A MINIMUM OF
9 TWO HUNDRED (200) FEET FROM ADJOINING PROPERTY LINES. THE DISTANCE
10 SHALL BE DETERMINED BY THE COUNTY COUNCIL AFTER A SITE PLAN IS
11 DEVELOPED BY THE DEPARTMENTS OF PLANNING AND ZONING AND PUBLIC
12 WORKS. THE SITE PLAN SHALL CONSIDER AND ADDRESS THE TOPOGRAPHY OF
13 THE AREA, THE ABILITY TO EFFECTIVELY SCREEN THE LANDFILL AREA AND
14 SUCH OTHER FACTORS AS THE DEPARTMENTS OF PLANNING AND ZONING,
15 PUBLIC WORKS, AND THE COUNTY COUNCIL DEEM RELEVANT IN CONFORMITY
16 WITH SECTION 25-3.1(i) (LIMITATIONS, GUIDES AND STANDARDS).

17 THE DEPARTMENT OF PUBLIC WORKS SHALL CAUSE PRIOR TO
18 SUBMISSION OF THE SITE PLAN TO THE COUNTY COUNCIL A NOTICE TO BE
19 PUBLISHED ONCE A WEEK FOR TWO CONSECUTIVE WEEKS IN TWO NEWSPAPERS
20 OF GENERAL CIRCULATION IN THE COUNTY. THE NOTICE SHALL IDENTIFY
21 THE LOCATION OF THE SITE, THE ACREAGE, AND A PHYSICAL DESCRIPTION
22 OF THIS SITE.

23 Section 25-6.3 Requirements for Specific Districts. This section
24 sets forth the requirements for specific districts and includes
25 the minimum lot area, area per dwelling or family unit, parcel
26 area, lot width, yards, setbacks and maximum building height
27 allowed for uses permitted for each district. Uses permitted
28 under the Special Development Regulations shall also comply with
29 the requirements contained in Section 25-7 (Special Development
30 Regulations).

1 (a) AG - Agricultural District.

2 (3) Specific Regulations. The following uses are
3 permitted subject to the additional requirements below:

4 (D) ALL LOTS WITH THE EXCEPTION OF THE FIRST AND
5 SECOND LOT SHALL BE SERVED BY A DEVELOPMENT ROAD, WITH EXCEPTION
6 THAT GROUPS, NOT EXCEEDING SIX (6) LOTS, MAY HAVE IN LIEU OF A
7 DEVELOPMENT ROAD, FOUR (4) LOTS ON PANHANDLES [Panhandle lots may
8 be permitted if a common access is provided to a public road for
9 not more than four (4) lots and] in accordance with the following
10 criteria:

11 (i) Width at public roads:

12 (a) Single panhandles, 25 feet.

13 (aa) Double panhandles shall be 12.5
14 feet each, for a total of 25 feet.

15 (aaa) Triple panhandles shall be 12.5
16 feet each, for a total of 50 feet.

17 (ii) Panhandles shall be a maximum of seven
18 hundred (700) feet.

19 (E) Conversion of existing single family detached
20 dwellings to accommodate not more than four (4) dwelling units
21 shall be permitted in accordance with the following:

22 (i) A minimum lot size of two (2) acres, and

23 (ii) The lot shall contain at least one (1)
24 acres for each dwelling unit, and

25 (iii) A minimum of two (2) off-street parking
26 spaces is provided for each dwelling unit.

27 (F) Extraction Activities, provided that:

28 (i) Upon filing an application with the State
29 Department of Natural Resources, the applicant shall file a copy
30 of the application with the Department of Planning and Zoning.

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(ii) Extraction activities shall be screened from adjacent residential lots and public roads pursuant to Section 25-5.8(c) ([Buffer] BUFFERYARD Use and Requirements) or by a planted earth berm not less than six (6) feet in height and fifteen (15) feet in width.

(b) RR - Rural Residential District.

(3) Specific Regulations. The following uses are permitted subject to the additional requirements below:

(A) Agriculture, on a lot of two (2) acres or more provided not more than one (1) animal unit per acre shall be permitted. ALL BUILDINGS ASSOCIATED WITH THIS USE, INCLUDING FARM HOUSES, BARNs AND SILOS SHALL MEET THE REQUIRED MINIMUM SETBACKS FOR PRINCIPAL USES. Buildings in which animals are housed or kept shall comply with the following setbacks from adjacent residential lots.

<u>Number of Animal Units</u>	<u>Setback from Adjacent Residential Lot (in feet)</u>
1 - 2	100
3 - 10	150
11 or more	200

(c) R1, R2, R3 and R4 - Urban Residential District.

(A) Agriculture, on a lot of two (2) acres or more provided not more than one (1) animal unit per acre shall be permitted. Agriculture shall be permitted as an interim use on any parcel pending its development for residential purposes, PROVIDED ALL BUILDINGS ASSOCIATED WITH THIS USE, INCLUDING FARM HOUSES, BARNs AND SILOS SHALL MEET THE REQUIRED MINIMUM SETBACKS FOR PRINCIPAL USES.

<u>Number of Animal Units</u>	<u>Setback from Adjacent Residential Lot (in feet)</u>
1 - 2	100
3 - 10	150
11 or more	200

1 (E) Extraction activities in the R1 District, provided
2 that:

3 (ii) Extraction activities shall be screened from
4 adjacent residential lots and public roads pursuant to Section 25-
5 5.8(c) ([Buffer] BUFFERYARD Use and Requirements) or by a planted
6 earth berm not less than six (6) feet in height and fifteen (15)
7 feet in width.

8 (d) VR - Village Residential District.

9 (A) Agriculture, on a lot of two (2) acres or more
10 provided not more than one (1) animal unit per acre shall be
11 permitted. ALL BUILDINGS ASSOCIATED WITH THIS, INCLUDING FARMS
12 HOUSES, BARNs AND SILOS SHALL MEET THE REQUIRED MINIMUM SETBACKS
13 FOR PRINCIPAL USES. Buildings in which animals are housed or kept
14 shall comply with the following setbacks from adjacent residential
15 lots.

16	Number of Animal Units	Setback from Adjacent Residential Lot (in feet)
17	1 - 2	100
18	3 - 10	150
19	11 or more	200

20 (g) CI, GI, and ORI Industrial Districts.

21 (3) Specific Regulations Applicable to Industrial
22 Districts. The following uses are permitted subject to the
23 additional requirements below:

24 (H) Use Limitations within the General Industrial
25 District. Any use permitted in the General Industrial District
26 shall be subject to the following:

27 (i) Outside Storage Restrictions. Outside
28 storage of materials or equipment shall not exceed seventy (70)
29 percent of the lot area.

30 (ii) Screening Requirement. The outside
31 storage area shall be screened to fifty (50) percent [capacity]
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1 OPACITY from an arterial or collector road or adjacent residential
2 district. such screening shall consist of landscaping, walls,
3 topographic break or fencing of a height of at least six (6) feet.

4 (iii) Office and Retail Trade Limitations.
5 Office and retail trade uses may be permitted when part of an
6 overall development plan approved by the Department of Planning
7 and Zoning for the entire parcel. [Office] SERVICE uses, EXCEPT
8 PERSONAL SERVICES, may occupy up to ten (10) percent of parcel
9 area; retail trade AND PERSONAL SERVICES uses up to five (5)
10 percent.

11 Section 25-6.4. Special Overlay Districts.

12 (d) Natural Resources District.

13 (1) Purpose. The intent of this overlay district is to
14 preserve special environmental features [designated] IDENTIFIED
15 herein [as "natural Resource Protection Areas"] and to:

16 (A) Provide uniform guidelines for orderly devel-
17 opment and use of land within the Natural Resources District to
18 protect the ecology of the area.

19 (B) Protect steep terrain.

20 (C) Protect water quality in streams and rivers.

21 (D) Minimize erosion/siltation and protect
22 essential vegetation.

23 (E) Protect shorelines, wetlands and beaches.

24 (F) Protect persons and property from environmental
25 hazards such as erosion, siltation and flood waters.

26 (2) Application. The Natural Resources District shall
27 apply to the following environmental features:

28 (A) Steep Slopes. Any land area exceeding forty
29 thousand (40,000) square feet with a slope in excess of twenty-
30 five (25) percent.

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1 (B) Marsh Areas. Any area of tidal and non-tidal
2 wetlands exceeding forty thousand (40,000) square feet including,
3 but not limited to, areas designated as Areas of Critical State
4 Concern by the Maryland Department of State Planning.

5 (C) Streams. [Any stream classified as a third
6 order stream by the State Department of Natural Resources] THE
7 FOLLOWING STREAMS including: Broad Creek, Bynum Run, Carsins Run,
8 Deer Creek, Grays Run, James Run, Little Gunpowder Falls, Swan
9 Creek and protection shall be a minimum distance of one hundred
10 and fifty (150) feet on both sides of the center line of the
11 stream or fifty (50) feet beyond the flood plain, whichever is
12 greater, and along their tributaries for a minimum distance of
13 [three] FIVE hundred [(300)] (500) feet from the main branch with
14 a minimum distance of fifty (50) feet on both sides of the center
15 line of the tributary, or twenty-five (25) feet beyond the flood
16 plain, whichever is greater.

17 (3) USE RESTRICTIONS. PRIOR TO DEVELOPMENT A PLAN
18 SETTING FORTH SITE ALTERATIONS, REGRADING, FILLING, AND CLEARING
19 SHALL BE SUBMITTED TO THE ZONING ADMINISTRATOR. THE FOLLOWING
20 USES SHALL BE PROHIBITED:

21 (B) CLEARING OR REMOVAL OF NATURAL GROUND COVER OR
22 VEGETATION IN PREPARATION FOR DEVELOPMENT OF A CONTIGUOUS AREA
23 GREATER THAN TWENTY THOUSAND (20,000) SQUARE FEET.

24 (5) CONSERVATION REQUIREMENTS. THE FOLLOWING CONSERVATION
25 MEASURES SHALL BE INCLUDED IN ANY PLAN FOR DEVELOPMENT WITHIN THIS
26 DISTRICT:

27 (D) ANY LAND IN EXCESS OF TWENTY-FIVE (25) PERCENT
28 SLOPE FOR AN AREA OF FORTY THOUSAND (40,000) SQUARE FEET OR MORE
29 SHALL NOT BE CLEARED OF NATURAL GROUND COVER OR VEGETATION IN
30 PREPARATION FOR DEVELOPMENT, EXCEPT FOR NECESSARY ROADS AND
31 UTILITIES. NOT MORE THAN THIRTY (30) PERCENT OF ANY LAND IN
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EXCESS OF FIFTEEN (15) PERCENT SLOPE AND LESS THAN TWENTY-FIVE
(25) PERCENT SLOPE FOR AN AREA OF FORTY THOUSAND (40,000) SQUARE
FEET OR MORE SHALL BE CLEARED OF NATURAL GROUND COVER OR VEGETATION
IN PREPARATION FOR DEVELOPMENT.

SECTION 25-7. SPECIAL DEVELOPMENT REGULATIONS.

SECTION 25-7.1. PURPOSE AND APPROVAL.

(b) CONVENTIONAL DEVELOPMENTS WITH OPEN SPACE (COS) SHALL
BE SUBJECT TO THE APPROVAL OF THE ZONING ADMINISTRATOR.

THE LOCATION ON A PARCEL OR PORTION THEREOF FOR AN
INTEGRATED COMMUNITY SHOPPING CENTER SHALL BE SUBJECT TO AN
APPROVAL BY THE BOARD, UNDER SECTION 25-3.3 (BOARD OF APPEALS).
THE DEVELOPMENT PLANS FOR INTEGRATED COMMUNITY SHOPPING CENTERS,
AT LOCATIONS THAT HAVE BEEN APPROVED AS PROVIDED ABOVE, SHALL BE
APPROVED BY THE ZONING ADMINISTRATOR IN ACCORDANCE WITH SECTION
25-7 (SPECIAL DEVELOPMENT REGULATIONS). ALL OTHER PROJECTS
AUTHORIZED WITHIN THIS SECTION SHALL BE SUBJECT TO APPROVAL OF THE
BOARD PURSUANT TO SECTION 25-3.3 (BOARD OF APPEALS). PRIOR TO
APPROVAL BY THE BOARD, THE BOARD SHALL DETERMINE THAT THE PROPOSED
PROJECT COMPLIES WITH THE DEVELOPMENT AND DESIGN STANDARDS SET
FORTH HEREIN AND IS CONSISTENT WITH THE PURPOSE OF THIS SECTION
AND THE LIMITATIONS, GUIDES AND STANDARDS NOTED IN SECTION 25-3.3(i)

Section 25-7.2. Development and Design Standards.

(b) Conventional Development with Open Space (COS) and
Planned Residential Development (PRD).

(2) Development Standards.

(C) Site Design.

(iv) Buildings near the periphery of the
project shall be harmonious with neighboring areas and shall
provide adequate transition in density and type, or shall provide
a bufferyard as required in Section 25-5.8(c) (Bufferyard USE AND
[Requirements]) REQUIREMENTS).

(c) INTEGRATED COMMUNITY SHOPPING CENTER (ICSC).

(1) ELIGIBILITY. AN INTEGRATED COMMUNITY SHOPPING CENTER (ICSC) SHALL HAVE THE FOLLOWING ELIGIBILITY REQUIREMENTS:

(A) A MINIMUM PARCEL SIZE OF THREE (3) ACRES, OR

(B) SIX OR MORE BUSINESS USES, OR

(C) A BUILDING GROSS FLOOR AREA OF AT LEAST TWENTY THOUSAND (20,000) SQUARE FEET, AND

(D) LOCATED WITHIN THE B1, B2, AND B3 DISTRICTS.

Section 25-8.3. Standards for Specific Special Exceptions. The Special Exceptions enumerated herein in addition to other conditions as may be imposed by the Board shall comply with the following requirements.

(a) Amusements.

(4) Marinas and Boat Launching, Storage and Repair.

These Uses may be granted in the AG, RR, R1, R2, R3, R4, B1 and B2 districts provided that:

(A) [In the R districts such facilities shall be part of a planned residential development (PRD).] IN THE URBAN RESIDENTIAL DISTRICTS SUCH FACILITIES SHALL BE PART OF A CONVENTIONAL DEVELOPMENT WITH OPEN SPACE (COS) OR A PLANNED RESIDENTIAL DEVELOPMENT (PRD).

(7) Outdoor Theater. This use may be granted in the AG[and B3] districts provided that:

(A) Such theaters shall be for live productions only.

(8) Indoor Shooting Range. These uses may be granted in the AG [and B3] districts provided that:

(A) Adequate measures are taken to insure that no loaded firearms will be brought into or taken out of the building.

(9) Golf Driving Ranges. These uses may be granted in the AG [and B3] districts provided that:

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(A) The use shall not be within fifty (50) feet of any lot line or within two hundred feet (200) of any adjacent residential lot.

(b) Industrial Uses.

(2) PAPER AND ALLIED PRODUCTS (SIC 26) MAY BE GRANTED IN THE GI DISTRICT PROVIDED THAT:

(A) STRUCTURES ARE DESIGNED SO AS TO INSURE THAT THE ACTIVITIES CONDUCTED THEREIN WILL NOT ENDANGER THE PUBLIC HEALTH AND SAFETY AND FURTHER THAT ANY ODORS WILL NOT BE A NUISANCE TO THE NEIGHBORHOOD.

(c) Institutional Uses.

(5) Fire Station, with Assembly Halls. This use may be granted in the AG, RR, R1, R2, R3, R4 and VR districts provided that:

(A) A minimum parcel area of three (3) acres is established.

(7) Schools, Colleges and Universities. These uses may be granted in any district, except the GI AND RI ORI districts, provided that:

(A) Schools, colleges and universities which offer any general academic instruction at levels above the eighth (8th) grade must have:

(i) A parcel area of at least three (3) acres plus 875 square feet of parcel area for each student in excess of fifty (50).

(ii) A parcel frontage of at least three hundred (300) feet; and

(iii) Front yard depth of at least fifty (50) feet, side yard depth equal to at least two (2) times the height of the tallest institutional building located on the parcel which is proximate to the side lot line and a rear yard depth of at least fifty (50) feet.

- 1 (B) Kindergartens must have:
- 2 (i) A parcel area of at least twenty thousand
- 3 (20,000) square feet per fifteen (15) students or fraction thereof;
- 4 (ii) A parcel frontage of at least one
- 5 hundred (100) feet; and
- 6 (iii) Front yard depth of at least forty (40)
- 7 feet, side yard depth equal to at least the height of the tallest
- 8 institutional building located on the parcel which is proximate to
- 9 the side yard and a rear yard depth of at least forty (40) feet.
- 10 (C) All other [private] educational institutions
- 11 must comply with the following:
- 12 (d) Motor Vehicle and Related Services.
- 13 (1) [Commercial Vehicles and Equipment, Sales, Service
- 14 and Storage and Farm Vehicle and Equipment, Sales and Service.
- 15 This use may be granted in the AG and VB districts provided that:]
- 16 ~~CONSTRUCTION-AND-INDUSTRIAL-EQUIPMENT, SALES-AND-SERVICE,~~
- 17 COMMERCIAL VEHICLE AND EQUIPMENT STORAGE AND FARM VEHICLE AND
- 18 EQUIPMENT SALES AND SERVICE. THESE USES MAY BE GRANTED IN THE AG
- 19 DISTRICT AND COMMERCIAL VEHICLE AND EQUIPMENT STORAGE IN THE VB
- 20 PROVIDED THAT:
- 21 (A) The vehicles and equipment are stored entirely
- 22 within an enclosed building or are fully screened from view of
- 23 adjacent residential lots and public roads.
- 24 (3) Motor Vehicle Repair Shops, These uses may be
- 25 granted in the AG and B1 districts provided that:
- 26 [(A) All the regulations in Section 25-8.5(e)(1)
- 27 are met.]
- 28 (A) ALL THE REGULATIONS IN SECTION 25-8.5(d)(2)
- 29 ARE MET. (MOTOR VEHICLE FILLING AND SERVICE STATIONS)
- 30 (f) Residential Uses.
- 31 (1) Apartment Dwellings, GARDEN, Mid-Rise and High-
- 32

BOOK 917 29

1 Rise. These uses may be granted in the R4 and B3 districts
2 provided that:

3 (A) A minimum parcel area of not less than five
4 (5) nor more than fifteen (15) acres shall be established.

5 (2) Camps, Retreats, Recreation Vehicle Parks. These
6 uses may be granted in the AG district provided that:

7 (D) One freestanding sign, not more than fifty
8 (50) square feet in area and twenty-five (25) feet in height shall
9 be permitted [access per] ALONG EACH road frontage. Building
10 identification signs shall be attached to buildings and shall not
11 exceed a total of ten (10) square feet.

12 (6) Nursing Homes. These uses may be granted in the
13 AG, RR, R1, R2, VR, VB and B1 districts provided that:

14 (B) The setbacks of the district [of single
15 family detached dwellings] FOR INSTITUTIONAL USES shall be met.

16 (h) Services

17 (1) Construction Services and Suppliers. These uses
18 may be granted in the AG and VB districts provided that:

19 [(B) All the requirements for construction
20 services in the LI district are met:]

21 (3) Kennel. These uses may be granted in the AG, VB,
22 B1 and B2 districts, provided that all buildings for the shelter
23 of animals and runways shall be located at least two hundred
24 (200) feet from any lot line.

25 (8) Veterinary Clinics OR HOSPITALS. This use may be
26 granted in the AG and B2 districts provided that:

27 (A) A minimum parcel area of three (3) acres is
28 required;

29 SECTION 25-9.3. BOARD OF APPEALS APPROVALS.

30 (a) THE REQUIREMENTS OF THIS CODE SHALL NOT APPLY TO ANY
31 VARIANCE OR CONDITIONAL USE APPROVED BY THE BOARD PURSUANT TO

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1 ORDINANCE NO. 6 OF 1957, AS AMENDED. IN THE CASE OF A CONDITIONAL
2 USE APPROVAL FOR AN INTEGRATED NEIGHBORHOOD OR COMMUNITY SHOPPING
3 CENTER, THE APPLICANT MAY PROCEED WITH THE DEVELOPMENT UNDER THE
4 REQUIREMENTS AND STANDARDS OF SECTION 25-7.2(c) (INTEGRATED
5 COMMUNITY SHOPPING CENTER) UPON SUBMISSION OF A DEVELOPMENT PLAN
6 TO THE ZONING ADMINISTRATOR FOR REVIEW AND APPROVAL. THE ZONING
7 ADMINISTRATOR SHALL APPROVE THE DEVELOPMENT PLAN IN ACCORDANCE
8 WITH THE REQUIREMENTS OF THIS CODE, PROVIDED THAT: (1) THE
9 PARCEL LOCATION OR PORTION THEREOF IS NOT SUBSTANTIALLY CHANGED
10 OR ENLARGED; (2) ANY OFF-SITE IMPROVEMENTS REQUIRED BY THE
11 ORIGINAL CONDITIONAL USE APPROVAL WHICH REMAIN APPROPRIATE SHALL
12 NOT BE WAIVED. IN THE CASE OF A CONDITIONAL USE APPROVAL FOR A
13 COMMUNITY DEVELOPMENT PROJECT (CDP), THE APPLICANT MAY PROCEED
14 WITH DEVELOPMENT UNDER THE REQUIREMENT AND STANDARD OF THE
15 PLANNED RESIDENTIAL DEVELOPMENT (PRD) UPON SUBMISSION OF A
16 CONCEPT PLAN TO THE ZONING ADMINISTRATOR FOR REVIEW AND APPROVAL.
17 THE CONCEPT PLAN SHALL INCLUDE THE UNDEVELOPED AREAS OF THE
18 PARCEL INDICATING THE GENERAL DISTRIBUTION OF LAND USES, PHASES
19 OF DEVELOPMENT, VEHICLE CIRCULATION NETWORK AND OPEN SPACE
20 SYSTEM. THE ZONING ADMINISTRATOR SHALL APPROVE THE CONCEPT PLAN
21 IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CODE, PROVIDED THAT:
22 *Section 2. And Be It Further Enacted, that this Act is hereby*
23 *declared to be an Emergency Act, necessary for proper administra-*
24 *tion of the zoning laws of Harford County, Maryland, and shall*
25 *take effect on the date it becomes law.*

26 EFFECTIVE: August 23, 1982

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29
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82-54

AS AMENDED

BOOK 8 PAGE 53

BY THE COUNCIL

Read the third time, BILL NO. 82-54 (as amended)

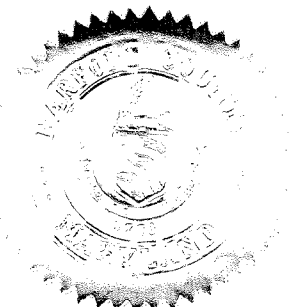
Passed LSD 82-28 (August 17, 1982)

Failed of Passage _____

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 18th day of August, 1982
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

Thomas Brumby
County ExecutiveDate August 23, 1982

BY THE COUNCIL

This Bill (No. 82-54 (as amended)), having been approved by
the Executive and returned to the Council, becomes law on
August 23, 1982.

Angela Markowski, Secretary

Rec'd & Recorded 2-10 1983 at 1:00 P.M.
Mr. Liber 8 Folio 19 & examined per
H. Douglas Chilcoat, Clerk, Harford Co.

EFFECTIVE DATE: August 23, 1982

82-54

AS AMENDED